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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ANTONIO AGUILAR-LOPEZ,

NO. CV-12-5016-LRS

Plaintiff,

v.

**ORDER TO DISMISS
PLAINTIFF'S FIRST
AMENDED COMPLAINT
AGAINST THE BENTON
COUNTY SHERIFF'S OFFICE
UNDER FED. R. CIV. P.
12(b)(6)**

BENTON COUNTY SHERIFF'S
OFFICE, KENNEWICK POLICE
DEPARTMENT, BENTON COUNTY
K-9 DEPUTY E. REINING, BENTON
COUNTY PATROL CORPORAL
STEPHEN L. CAUGHEY, and
KENNEWICK CITY POLICE
DETECTIVE RANDY MCCALMANT,

Defendants.

THIS MATTER came on regularly before the Court on the Benton County Sheriff's Office Motion to Dismiss Plaintiff's First Amended Complaint under Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted. No response has been filed by Plaintiff despite service on August 7, 2012.

ORDER TO DISMISS PLAINTIFF'S
FIRST AMENDED COMPLAINT AGAINST THE
BENTON COUNTY SHERIFF'S OFFICE - 1

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1 The Court has considered the Benton County Sheriff's Office Motion to
2 Dismiss Plaintiff's First Amended Complaint under Fed. R. Civ. P. 12(b)(6) and
3 Memorandum of Law in support thereof. The Court, being fully advised, hereby:
4

5 GRANTS the Benton County Sheriff's Office Motion, ECF No. 38, and
6 ORDERS Plaintiff's claims against the Defendant Benton County Sheriff's Office
7 be dismissed with prejudice for failure to state a claim upon which relief can be
8 granted.
9

10 IT IS SO ORDERED.

11 DATED this 27th day of September, 2012.

12 *s/Lonny R. Suko*
13

14 _____
15 LONNY R. SUKO
16 United States District Judge

17 PRESENTED BY:

18 ANDY MILLER
19 Prosecuting Attorney

20
21 By s/Ryan J. Lukson
22 RYAN J. LUKSON, Deputy
23 Prosecuting Attorney, Civil
24 WSBA #43377
25 Attorney for Benton County Defendant
26

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